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WHEREAS, on May 24, 2016, the Planning Commission of the City of Colton (“Planning Commission”) conducted a duly noticed public hearing and recommended the City Council of the City of Colton (“City Council”) amend Section 18.12.060 (Building Projections – R-1 Zone), and 18.12.170 (Parking Requirements – R-1 Zone), of Title 18 of the Colton Municipal Code (the “Municipal Code”). Following the conclusion of said hearing, the Planning Commission adopted their Resolution No. R-4-16, recommending approval to the City Council (“Zoning Text Amendment”; and

WHEREAS, the City Council has determined that the Zoning Text Amendment is consistent with the City of Colton General Plan (“General Plan”) as indicated below; and

WHEREAS, the Zoning Text Amendment was reviewed, studied and found exempt from the California Environmental Quality Act ("CEQA") as more fully described below; and

WHEREAS, on June 21, 2016, the City Council held a duly noticed public hearing at which persons wishing to testify in connection with the Zoning Text Amendment were heard and the Zoning Text Amendment was comprehensively reviewed.

1 **WHEREAS**, all other legal prerequisites to the adoption of this Ordinance have occurred.

2
3 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COLTON DOES**
4 **ORDAIN AS FOLLOWS:**

5 **SECTION 1.** The City Council hereby adopts the recitals and findings set forth above and
6 in the agenda report prepared in connection with this Ordinance.

7 **SECTION 2.** General Plan Consistency. Based on the entire record before the City
8 Council and all written and oral evidence presented, including the staff report and the findings made
9 in this Ordinance, the City Council hereby finds and determines that the proposed Ordinance is
10 consistent with the goals and policies of the City of Colton General Plan and is reasonably related
11 to the public welfare of the citizens of the City and surrounding regions. Specifically, the provisions
12 of this Ordinance make clear that projections into the front setbacks of R-1 properties do not
13 encroach into the public right-of-way, provide for additional covered parking opportunities for
14 residential properties, and recognize the existing conditions on older residential properties.
15 Permitting this flexibility within the R-1 Low Density Residential zone within the City of Colton
16 further the City's goals and policies as set forth in the City of Colton General Plan, specifically:

17 ***Land Use Element:*** Permitting carports to encroach into the front setback within R-1 Low
18 Density Residential zones is consistent with the Residential Neighborhood Preservation and
19 Protection policies of the City of Colton Land Use Element, specifically:

- 20 ○ **Policy LU-6.4: "Promote the use of buildings, setbacks, walls, landscaping, and other**
21 **design features to buffer and reduce conflicts between adjacent properties."** The
22 Ordinance requires that any carport structure must comply with current California Building
23 Code standards, including windload requirements. The existing R-1 standard, restricting
24 lot coverage to 40% of lot area will remain unchanged. In addition, the minimum R-1 front
25 yard setback standard of 25 feet will provide a minimum of 3 feet between a carport and the
26 property line. The recognition of limited onsite parking for older residential properties with
27 one-car garages will ensure that these properties can accommodate parking needs onsite
28 without creating conflicts with adjacent properties.

29 Finally, the City of Colton finds that the proposed Zone Text Amendment to permit carport
30 encroachments into the front yard setback on R-1 properties is reasonably related to the public
31 welfare of the citizens of the City and surrounding region; more specifically, Section
32 18.58.12.010(A) in the Colton Municipal Code states that, "The R-1 Low Density Residential Zone
33 is characterized by single-family detached homes on individual lots that form a cohesive
34 neighborhood." The Ordinance includes appropriate restrictions to ensure that the permitted
35 encroachments and parking are integrated into the overall community pattern of R-1 zone in which
36 the carports will be located.

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SECTION 3. Section 18.12.060 of Chapter 18.12 of Title 18 of the Colton Municipal Code, pertaining to the R-1 Low Density Residential Zone, is hereby amended to read as follows:

18.12.060 - Building Projections.

Building projections into yard areas are permitted as follows:

Projection Standard Table 3	
Front Setback	Fire escapes, unenclosed and uncovered stairways, unenclosed patios, porches, cornices, Eaves, sills and similar architectural features, which may project up to five feet into the setback. Balconies and fireplaces having a maximum linear dimension of eight feet may project up to thirty inches into the setback. <u>Carpports may project up to twenty feet into the front setback but not less than three feet from property line.</u>
Side Setbacks	Fireplaces having a maximum linear dimension of eight feet and eaves may project two feet into the setback.
Rear Setbacks	Fire escapes, unenclosed and uncovered stairways, porches, cornices, eaves, sills and similar architectural features which may project up to five feet into the setback. Balconies and fireplaces having a maximum linear dimension of eight feet may project up to thirty inches into the required setback. Attached unenclosed patios with no freestanding walls may extend up to ten feet into the required setback.
Swimming Pools and Spas	Five feet from any lot line, and may only be placed in the rear yard area.
Small Residential Air Conditioning Mechanical Equipment less than eight square feet	May be setback three feet from any property line; all others will require to meet building setback standards; and all mechanical equipment shall be in compliance with all City Noise Standards.

SECTION 4. Section 18.12.170 of Chapter 18.12 of Title 18 of the Colton Municipal Code, pertaining to the R-1 Low Density Residential Zone, is hereby amended to read as follows:

18.12.170 - Parking requirements.

A. There shall be no less than two parking spaces in the form of a garage for every dwelling unit, with dimensions of not less than ten feet in width and twenty feet in depth. The required parking spaces shall be provided on the same lot as the main building, and shall be independently accessible with unobstructed space provided for the maneuvering of Vehicles. Vehicles maneuvering area shall comply with appropriate vehicular turning radius as specified by the Director for appropriate driveway width.

B. For dwelling units with a one-car garage, and less than two onsite parking spaces as required by Section 18.12.170(A), a maximum of one parking space is permitted in the form of a garage or carport. The carport and/or garage shall be constructed to California Building Code standards, and fabricated of durable materials and colors that are compatible with the existing single family home and garage located on the parcel. The width of the carport and/or garage shall not be greater than the width of the existing garage, and the height of the carport and/or garage shall be limited to twelve feet.

1 ~~B.C.~~ There Shall be paved vehicular Access to the Off-Street Parking Facilities, with a Driveway
2 not less than ten feet wide and not encumbered by a Projection to height under eight feet above
Grade.

3 ~~C.D.~~ For a boarding, lodging, or rooming house in the R-1 Zone, there shall be no less than one
4 Parking Space per room or suite, or one space per two beds, whichever is greater.

5 ~~D.E.~~ No covered or uncovered tandem parking is permitted for parking credit. Each credited parking
6 space shall be so designed that a car need not be moved to gain access to or from any other
parking space.

7 **SECTION 7.** If any sentence, clause or phrase of this Ordinance is for any reason held to
8 be unconstitutional or otherwise invalid, such decisions shall not affect the validity of the remaining
provisions of this Ordinance.

9 **SECTION 8.** The City Council hereby finds and determines that it can be seen with
10 certainty that there is no possibility that this Ordinance may have a significant adverse effect on the
environment. Thus, the adoption of this Ordinance is exempt from the requirements of the
11 California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the CEQA
Guidelines.

12 **SECTION 9. Certification/Publication.** The City Clerk shall certify to the passage of the
13 Ordinance and cause the same or a summary thereof to be published within fifteen (15) days after
14 adoption in a newspaper of general circulation published and circulated in the City of Colton.

15 **SECTION 10.** This Ordinance shall become effective thirty (30) days after its adoption in
accordance with the provisions of California law.

16 **PASSED, APPROVED AND ADOPTED** on this 5th day of July, 2016.

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19 RICHARD A. DELAROSA
20 Mayor

21 ATTEST:

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23 CAROLINA R. PADILLA
24 City Clerk
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1 **STATE OF CALIFORNIA**)
2 **COUNTY OF SAN BERNARDINO**) ss
3 **CITY OF COLTON**)

4 **CERTIFICATION**

5 **I, CAROLINA R. PADILLA**, City Clerk of the City of Colton, California, do hereby
6 certify under penalty of perjury that the foregoing is a full, true and correct copy of
7 **ORDINANCE NO. O-10A-16**, and was duly passed, approved, and adopted by the City
8 Council of the City of Colton at its Regular Meeting held on the **5th day of July, 2016**,
9 by the following vote to wit:

10
11 **AYES:** **COUNCILMEMBER** Toro, Jorin, Navarro, González,
12 Bennett, and Mayor DeLaRosa
13 **NOES:** **COUNCILMEMBER** None
14 **ABSTAIN:** **COUNCILMEMBER** None
15 **ABSENT:** **COUNCILMEMBER** Suchil

16
17 **IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official
18 seal of the City of Colton, California, this ____ day of _____, ____.

19
20
21 _____
22 **CAROLINA R. PADILLA**
23 City Clerk
24 City of Colton, California

25 (SEAL)
26
27
28